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HIMANSHU S. AMIN AMIN & TUROCY, LLP 24th FLOOR, NATIONAL CITY CENTER 1900 EAST 9th STREET CLEVELAND, OH 44114



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Himanshu S. Am	in, Re	g No	. 40,894		(Depositor	s name)
Led						gnature)
March 1, 2004		-		-11	JED	(Date)
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKE	T NO CONFIRMATION NO.
09/912,162	07/24/2001	Dominick H. Salvato	1219	43980
TITLE OF INVENTION: A	DAPTER UNIT HAVING	AN ERGONOMIC GRIP FOR A PERSONAL DIGITAL	ASSISTANT	MAY I DETITION
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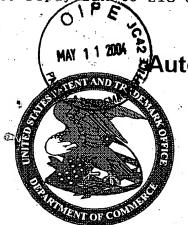
Himanshu S. Amin, Reg No. 40,894 March 1, 2004 NOTE; The Issue Fee and Publication Fee (if required) will not be accepted from ar other than the applicant; a registered attorney or agent; or the assignce or other par interest as shown by the records of the United States Patent and Trademark Office.			(Date)
NOTE; The Issue Fee and Publication Fee (if required) will not be accepted from an other than the applicant; a registered attorney or agent; or the assignce or other parinterest as shown by the records of the United States Patent and Trademark Office.	Himanshu S. Amin, Reg No. 40,894	dell	March 1, 2004
	Older than the applicant, a regist	ered attorney or access	or the sector - 41

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09/912,362 97/24/2001	Dominick H. Sal	lveic	1215	3900			
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1900 EAST 9th CLEVELAND,			2876 DATE MAILED: 04/07/2004	

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APPLICATION NUMBER FILING DATE FIRST NAMED APPLICANT ATTORNEY DOCKET NO. 09312162 **EXAMINER** ART UNIT PAPER NUMBER RECEIVED

MAY 1 3 2004

OFFICE OF PETTIONS DATE MAILED: NOTICE OF ABANDONMENT This application is abandoned in view of: Applicant's failure to timely file a proper reply to the Office letter mailed on A reply (with Certificate of Mailing or Transmission of ____ _) was received on which is after the expiration of the period for reply (including a total month(s)) which expired on A proposed reply was received on_ , but it does not constitute a proper reply under 37 CFR 1.113 to the final rejection. (A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114). A reply was received on... , but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in the last box below). No reply has been received. Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85). The issue fee and publication fee, if applicable, was received on_ _ (with a Certificate of Mailing or Transmission dated_____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85)(or Notice of Publication Fee Due). The submitted fee of \$ is insufficient. A balance of \$ The issue fee by 37 CFR 1.18 is \$_____. The publication fee, if required, by 37 CFR 1.18(d) is \$_ The issue fee and publication fee, if applicable, have not been received. Applicant's failure to timely file corrrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTOL-37). Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated), which is after the expiration of the period for reply. No corrected drawings have been received. The letter of express abandonment which is signed by the attorney or agent of r cord, the assignee of the intire interest, or all the applicants. The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon filing of a continuing application. The decision by the Board of Patent Appeals and Interferences rendered on ____ ___ and because the period for seeking court review of the decision has expir d and there are no allowed claims:

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to

The reason(s) below:

minimize any negative effects on patent term.

Respond to the Notice f Abandonment by one of the following:

Petition To Withdraw Holding of Abandonment (See MPEP 711.03(c) I) and 37 CFR § 1.181) No fee required

Where an applicant contends that the application is not in fact abandoned (e.g., there is disagreement as to the sufficiency of the reply, or as to controlling dates), a petition under 37 CFR § 1.181(a) requesting withdrawal of the holding of abandonment is the appropriate course of action. Any petition under 37 CFR § 1.181, to withdraw the holding of abandonment not filed within 2 months of the mail date of a Notice of Abandonment may be dismissed as untimely under 37 CFR § 1.181(f). In order for a petition to be granted, the evidence must be sufficient according to one of the following standards:

- 37 CFR § 1.8(b) Certificate of Mailing
- 37 CFR § 1.10 "Express Mail" mailing
- MPEP 503 Postcard Receipt as Prima Facie Evidence

Petition To Withdraw Holding Of Abandonment should be addressed as follows:

By mail: Commissioner For Patents, P.O. Box 1450, Mail Stop: Issue Fee, Alexandria, VA 22313-1450

By facsimile: 703-305-8755 or 703-305-4372

Petition To Withdraw Holding Of Abandonment Based On Failure To Receive Office Action (See MPEP 711.03(c) II). No fee required

Where an applicant contends that the original Notice of Allowance and Issue Fee Due was never received. If adequately supported, the Office may grant the petition and remail the Office action. The showing required establishing non-receipt of an Office communication must include a statement from the practitioner stating that the Office communication was not received and attesting to the fact that a search of the file jacket and docket records indicates that the Office communication was not received. A copy of the docket record where the nonreceived Office would have been entered had it been received and docketed must be attached to and referenced in practitioner's statement.

Petition should be addressed to the Technology Center handling the application as follows:

By mail: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 (Mark attention of a particular office or individual)

By facsimile: Technology Center numbers posted at http://www.uspto.gov/september1/faxnotice.htm

Petition To Revive An Abandoned Application (See MPEP 711.03(c) III)

Where there is no dispute as to whether an application is abandoned (e.g. the applicant's contentions merely involve the cause of abandonment) a petition under 37 CFR § 1.137 (a) unavoidable or (b) unintentionally (accompanied by the appropriate petition fee) is necessary to revive the abandoned application.

Petitions under 37 CFR § 1.137 should be addressed to the Office of Petitions as follows:

By mail: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450

By hand: Crystal Plaza 4, Rm. 3C23, 2201 Clark Place, Arlington, VA

By facsimile: 703-308-6916

Petition For Revival Of An Application For Patent Abandoned Unavoidably Under 37 CFR § 1.137(a) and Unintentionally Under 37 CFR 1.137(b), forms available at USPTO website – http://www.uspto.gov

Note: Abandonment takes place by operation of law for failure to reply to an Office action or timely pay the issue fee, not by operation of the mailing of a Notice of Abandonment.